



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

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July 17, 2013

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TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Basilia Vazquez v. County of Los Angeles
Los Angeles Superior Court Case No. BC 467 564

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:rfm

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Basilia Vazquez v. County of Los Angeles, Los Angeles Superior Court Case No. BC 467 564, in the amount of \$235,000 plus waiver of the hospital bills in the estimated amount of \$20,307 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This medical negligence lawsuit arises from injuries sustained for care and treatment received by a patient while hospitalized at the LAC+USC Medical Center.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Basilia Vazquez v. County of Los Angeles
CASE NUMBER	BC 467564
COURT	Los Angeles Superior Court - Central
DATE FILED	August 15, 2011
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$235,000, plus waiver of the hospital bill in the estimated amount of \$20,307
ATTORNEY FOR PLAINTIFF	Douglas A. Rothen, Esq. Kabateck Brown Kellner, LLP
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>On August 11, 2010, Basilia Vazquez, a 32-year-old female, underwent an endoscopic procedure at LAC+USC Medical Center ("LAC+USC") to remove her gallbladder stones.</p> <p>On August 15, 2010, she returned to LAC+USC with complaints of fever and nausea. It was discovered that her small intestine had been injured, probably during the August 11, 2010, endoscopic procedure. The LAC+USC staff immediately repaired the intestinal injury, and Ms. Vazquez recovered.</p>

Basilia Vazquez brought a medical malpractice lawsuit against the County of Los Angeles claiming that the LAC+USC staff were negligent in performing the August 11, 2010, procedure.

PAID ATTORNEY FEES, TO DATE

\$65,462

PAID COSTS, TO DATE

\$11,315

Case Name: Vazquez, Basilia



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of Incident/event:	8/11/2010
Briefly provide a description of the incident/event:	<p>On August 11, 2010, Basilia Vazquez, a 32-year-old female, underwent an endoscopic procedure at LAC+USC Medical Center ("LAC+USC") to remove her gallbladder stones.</p> <p>On August 15, 2010 she returned to LAC+USC with complaints of fever and nausea. It was discovered that her small intestine had been injured, probably during the August 11, 2010 endoscopic procedure. The LAC+USC staff immediately repaired the intestinal injury, and Ms. Vazquez recovered.</p> <p>Basilia Vazquez brought a medical malpractice lawsuit against the County of Los Angeles claiming that the LAC+USC staff were negligent in performing the August 11, 2010 procedure.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

Bowel injury related to abdominal surgery.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- The facility revised and improved their processes related to the management of patients following gastroenterology procedures and tracking revisions to ordered radiological exams.
- The facility provided education regarding the management of fluid output from gastrointestinal tubes.
- QIPS evaluated the process in place at applicable DHS facilities for the management of gastrointestinal stents and notifying ordering clinicians of subsequent revisions to requested radiological exams. All applicable DHS facilities have a process in place for managing gastrointestinal stents. All applicable DHS facilities have, or are in the course of developing, a process for communicating changes to ordered radiological exams.

County of Los Angeles
Summary Corrective Action Plan

3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management for assistance)

- ☐ Potentially has County-wide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have County-wide or other department implications.

Name: (Risk Management Coordinator)	
Arun Patel	
Signature:	Date:
<i>[Signature]</i>	1/10/13

Name: (Department Head)	
Hal Yee	
Signature:	Date:
<i>[Signature]</i>	2/20/13

Chief Executive Office Risk Management

Name:	
LEO CONSTANTINO	
Signature:	Date:
<i>[Signature]</i>	1-8-13